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Attorneys for Defendants, WELLS FARGO BANK, N.A. and  
FEDERAL HOME LOAN MORTGAGE CORPORATION

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE**

JUAN VILLALOBOS DELIRA, an  
individual,

**Plaintiff**

VS.

WELLS FARGO BANK, N.A., CAL-  
WESTERN RECONVEYANCE  
CORPORATION; FEDERAL HOME  
LOAN MORTGAGE CORPORATION;  
and DOES 1 through 50, inclusive

## Defendants

Case No.: 11-cv-02020-EJD

**NOTICE OF WITHDRAWAL OF  
NOTICE AND MOTION TO  
DISMISS BY DEFENDANTS  
WELLS FARGO BANK, N.A. AND  
FEDERAL HOME LOAN  
MORTGAGE CORPORATION**

**TO THE HONORABLE COURT AND TO ALL PARTIES AND THEIR  
ATTORNEYS OF RECORD:**

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**PLEASE TAKE NOTICE** that attorneys Wright, Finlay & Zak, LLP, hereby **WITHDRAW** the Notice of Motion and Motion to Dismiss, filed in this matter on May 31, 2011.

Respectfully submitted,

WRIGHT, FINLAY & ZAK, LLP

Dated: September 19, 2011

By: *s/ Ronald M. Arlas, Esq.*

T. Robert Finlay, Esq.,  
Ronald M. Arlas, Esq.,  
Attorneys for Defendants,  
WELLS FARGO BANK, N.A. and  
FEDERAL HOME LOAN  
MORTGAGE CORPORATION.

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, Gretchen Grant, am employed in the County of Orange, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 4665 MacArthur Court, Suite 280, Newport Beach, California 92660.

On September 19, 2011, I served the foregoing document described as **NOTICE OF WITHDRAWAL OF NOTICE AND MOTION TO DISMISS BY DEFENDANTS WELLS FARGO BANK, N.A. AND FEDERAL HOME LOAN MORTGAGE CORPORATION** on the interested parties in this action as follows:

[X] by placing [ ] the original [X] a true copy thereof enclosed in sealed envelope(s) addressed as follows:

**Wendell Jamon Jones**  
Law Office of Wendell Jones  
1901 S. Bascom Avenue  
Suite 333  
Campbell, CA 95008  
408-938-0980  
Fax: 408 904-4513  
Email: [wjjones@hightechlaw.com](mailto:wjjones@hightechlaw.com)  
Attorneys for Plaintiff Juan V.

**Cuong Minh Nguyen**  
Pite Duncan, LLP  
4375 Jutland Drive, Suite 200  
P.O. Box 17935  
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(858) 750-7600  
Fax: (619) 590-1385  
Email: [cnguyen@piteduncan.com](mailto:cnguyen@piteduncan.com)  
Attorneys for Defendant Cal-Western Reconveyance Corporation

[X] (BY MAIL) I deposited such envelope(s) in the mail at Newport Beach, California. The envelope was mailed with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Such correspondence is deposited with the United States Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[ ] (BY ELECTRONIC MAIL) I caused each such document to be transmitted electronically to the parties at the e-mail address indicated. To the best my knowledge, the transmission was reported as complete, and no error was reported that the electronic transmission was not completed.

- 1 [ ] (BY FACSIMILE) I faxed such document from Newport Beach, California, to the  
2 facsimile number(s) shown on the attached service list. The sending facsimile machine  
3 number is (949) 477-9200. The transmission was reported as completed and without  
4 error, and the transmission report was properly issued by the transmitting facsimile  
5 machine, pursuant to California Rules of Court, Rule 2006(d).
- 6 [ ] (BY PERSONAL SERVICE) I caused such documents to be delivered by hand to the  
7 offices of the addressee(s) listed on the attached service list.
- 8 [ ] (BY FEDERAL EXPRESS) I placed true and correct copies of thereof enclosed in a  
9 package designated by Federal Express with the delivery fees provided for.
- 10 [X] (FEDERAL) I declare that I am employed in the office of a member of the bar of this  
11 court at whose direction the service was made.

12 Executed on September 19, 2011 at Newport Beach, California.  
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14 Gretchen Grant  
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